

Remarks

Claims 1-51, 53, and 77-84 are pending in the current patent application. Claims 2 and 3 have been incorporated into Claim 1; consequently, Claims 2 and 3 have been cancelled without waiver or prejudice and without admitting anticipation or obviousness. Applicant reserves the right to pursue the cancelled subject matter in a continuation application. Claim 44 was cancelled since it no longer provides a further limitation to Claim 43.

Claim 36 has been amended to provide proper antecedent basis from currently amended Claim 1.

Claim 37 has been amended to remove redundant terms.

Claims 45 and 46 have been amended to provide proper dependency from an un-cancelled claim.

The above-referenced claims have been amended in a good faith effort to place the claims in condition for allowance. No new matter has been introduced into the claims. Entry of the Amendment is respectfully requested to advance the prosecution of this case to allowance or to narrow the issues between Applicants and the Examiner in the event of appeal.

§103 Rejections

I. Claims 1, 2, 50, 51, 53 and 77 were rejected under 35 §103(a) as being obvious over U.S. Patent No. 6,841,549 (Eisai).

Although Applicant disagrees with Examiner's assertions of obviousness, in order to expedite the current application to allowance, the limitations of Claim 3 (which have been indicated by the Examiner as allowable) have been incorporated into Claim 1. Therefore, Applicant respectfully submits that the rejection has been rendered moot since all remaining claims are dependent from the currently amended Claim 1 including the pharmaceutical composition Claims 51, 53 and 77.

Based on the amendments to the Claims, Applicant respectfully submits that Claims 1, 4-43, 45-51, 53, 77-84 are in condition for allowance.

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